GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue Department – Sri G. Venkata Musalaiah, Dy. Inspector of Survey Prakasam District - failed to review the work and exhibited slack supervision – Initiation of Disciplinary Proceedings against Sri G. Sri Venkata Musalaiah, Dy. Inspector of Survey Prakasam District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE–I) DEPARTMENT

G.O.Rt.No.425 Dated:14.06.2022

Read the following:

G.O.Rt.No.811, Rev (Vig.I) dept., dt.28.12.2021.

******

ORDER:

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference above, it is considered necessary to hold an enquiry against Sri G. Venkata Musalaiah, Dy. Inspector of Survey Prakasam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri G. Venkata Musalaiah, Dy. Inspector of Survey Prakasam District is directed to submit within Seven (7) days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri G. Venkata Musalaiah, Dy. Inspector of Survey Prakasam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Sri G. Venkata Musalaiah, Dy. Inspector of Survey Prakasam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

(Contd.2)

To

Sri G. Venkata Musalaiah, Dy. Inspector of Survey Prakasam District (w.e, Annexures-I to IV) through the Commissioner, SS & LR, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

the Commissioner, SS & LR, Andhra Pradesh, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI GUDDANTI VENKATA MUSALAIAH, S/O SUBBA RAO, AGE 50 YEARS, DEPUTY INSPECTOR OF SURVEY, RDO's OFFICE, ONGOLE, PRAKASAM DISTRICT

That Sri GuddantiVenkata Musalaiah, S/o SubbaRao, age 50 years, Deputy Inspector of Survey, RDO's Office, Ongole, Prakasam District(herein after referred to as Government Servant) while functioning as such during the period between 15.12.2012 to 10.07.2019 committed grave misconduct in as much as:

Article of Charge:

That the Government Servant Sri Guddanti Venkata Musalaiah has to review the work done by the Licensed Surveyors frequently and report to the Assistant Director, District Survey and Land Records, Ongole for necessary action as per the instructions mentioned in the proceedings vide Rc.A2/225-56/2017 dated 28.06.2018 of the Joint Collector & Additional District Magistrate, Prakasam District, Ongole. But he failed to review the work and working place of Narisetti Praveen Kumar, Licensed Surveyor who was originally attached to the Tahsildar Office, Santhanuthalapadu Mandal and doing duties at the Tahsildar Office, Chinnaganjam Mandal un-authorizedly due to the slack supervision of the Government Servant.

Thus by his above mentioned acts, the Government Servant Sri Guddanti Venkata Musalaiah, Deputy Inspector of Survey, RDO's Office, Ongole, Prakasam Districthas showed lack of devotion to duty and failed to exercise proper control over his staff and there by violated Rule 3 (1) (2)& (5) of APCS (Conduct) Rules 1964.

***

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINSTSRI GUDDANTI VENKATA MUSALAIAH, S/O SUBBA RAO, AGE 50 YEARS, DEPUTY INSPECTOR OF SURVEY, RDO's OFFICE, ONGOLE, PRAKASAM DISTRICT

Cr. No.07/RCT-OGL/2018

Sri Guddanti Venkata Musalaiah is a native of Chirala, Prakasam District.His date of birth is 10.07.1971. He entered into Government service on 01.02.1993 as Deputy Surveyor. He was promoted as Mandal Surveyor on 05.11.1998 and later promoted as Deputy Inspector of Survey on 15.12.2012. He worked as the Deputy Inspector of Survey in RDO's Office, Ongole from 15.12.2012 to 10.07.2019. He is due to retire on attaining the age of superannuation on31.07.2031.He is hereinafter referred to as Government Servant (G.S).

Article of Charge:

That the Government Servant Sri Guddanti Venkata Musalaiah has to review the work done by the Licensed Surveyors frequently and report to the Assistant Director, District Survey and Land Records, Ongole for necessary action as per the instructions mentioned in the proceedings vide Rc.A2/225-56/2017 dated 28.06.2018 of the Joint Collector & Additional District Magistrate, Prakasam District, Ongole. But he failed to review the work and working place of Narisetti Praveen Kumar, Licensed Surveyor who was originally attached to the Tahsildar Office, Santhanuthalapadu Mandal and doing duties at the Tahsildar Office, Chinnaganjam Mandal un-authorizedly due to the slack supervision of the Government Servant.

Facts and Evidence:

Brief facts of the case are that on the complaint given by Sri Majeti Venkateswara Sastry, r/o Kadavakuduru village, Chinnaganjam Mandal, Prakasam District, a case in Cr. No. 7/RCT-OGL/2018 of ACB, Prakasam District was registered against Sri Cherukuri Venkata Brahmanaiah S/o late Radha Krishna Murthy, age 52-yrs, Mandal Surveyor, O/o. Tahasildar, Chinaganjam Mandal, Prakasam District. Sri Cherukuri Venkata Brahmanaiah and Sri Narisetti Praveen Kumar s/o Sambamurthy, age 33 years, Licensed Surveyor, Tahsildar Office, Chinnaganjam Mandal were trapped on 27.09.2018 at about 16.10 hours in the premises of Chinthagumpalli Primary Agriculture Society situated near Tahsildar Office, Chinnaganjam, when Sri Ch. Venkata Brahmanaiah, Mandal Surveyor demanded and accepted the bribe amount of Rs.25,000/- from the complainant Sri Majeti Venkateswara Sastry in the presence of Sri Narisetti Praveen Kumar, Licensed Surveyor for doing an official favour i.e. for conducting survey of the lands of the complainant situated at Chinthagumpalli Village, Chinnaganjam Mandal, Prakasam District and to submit his report. Sri Cherukuri Venkata Brahmanaiah, Mandal Surveyor gave a bribe amount of Rs.14,000/- to Sri

Narisetti Praveen Kumar, Licensed Surveyor who had knowledge about the bribe amount and conducted survey of the lands of the complainant on behalf of the Mandal Surveyor on 27.09.2018(out which Rs.10,000/- for him and remaining Rs.4000/- to two VRAs who assisted him survey of the lands of the complainant).

During the course of investigation, Sri Mohmmed Abdul Jaleel, Asst. Director, District Survey & Land Records, Prakasam District, Ongole was examined. He revealed the process of surveying the lands and disposal of F-Line petitions by theMandal Surveyors in the Tahsildar Offices. He stated that as part of the policy in encouragement of unemployed youth, the licensed surveyors are allotted to various Tahsildar Offices to assist the Mandal Surveyors. Even, if the licensed surveyors perform a survey in the absence of Mandal Sureyors, they have to submit their findings to the Mandal Surveyor who in turn will submit reports to the Tahsildar. Sri N. Praveen Kumar, Licensed Surveyor was allotted to the Tahsildar Office, Santhanuthalapadu Mandal, Prakasam District vide proceedings Rc.A2/225-56/2017 dated 28.06.2018 of the Joint Collector & Additional District Magistrate, Prakasam District. It is irregular on the part of the Licensed Surveyor Sri N. Praveen Kumar to work at the Tahsildar Office, Chinnaganjam without any orders in writing from the superior officers. The licensed surveyors work under the supervision of the Mandal Surveyors and it is the duty of Sri Ch. Venkata Brahmanaiah, Mandal Surveyor, Chinnaganjam to bring it to the notice of the AD, District Survey & Land Records, Ongole regarding the functioning of licensed surveyor Sri N. Praveen Kumar at Chinnaganjam instead of his original place of allotment i.e. Tahsildar Office, Santhanuthalapadu Mandal. Further in the orders issued by the Joint Collector & Additional District Magistrate, Prakasam District vide proceedings Rc.A2/225-56/2017 dated 28.06.2018 in which Sri N. Praveen Kumar, Licensed Surveyor was allotted to Santhanuthalapadu Mandal, it was mentioned that Deputy Inspector of Survey and Survey Inspector – 1 should review the work of Sri N. Praveen Kumar, Licensed Surveyor and send report to the Assistant Director, District Survey and Land Records, Ongole. Sri Guddanti Venkata Musalaiah (Government Servant) who was the concerned Deputy Inspector of Survey, RDO Office, Ongole failed to review the work of Sri N. Praveen Kumar as per the instructions issued in the above memo, due to which Sri N. Praveen Kumar was performing his duties unauthorisedly at theTahsildar Office, Chinnaganjam Mandal instead of Tahsildar Office, Santhanuthalapadu Mandal.

Thus the Government Servant Sri Guddanti Venkata Musalaiah by his above mentioned acts exhibited lack of devotion to duty and failed to exercise proper control over Sri N. Praveen Kumar, Licensed Surveyor and thereby contravened Rule 3(1) (2)& (5) of A.P. Civil Services (Conduct) Rules 1964.

Therefore, the Government Servant Sri Guddanti Venkata Musalaiah, S/o Subba Rao, age 50 years, Deputy Inspector of Survey, RDO's Office, Ongole, Prakasam

District rendered himself for regular departmental enquiry for major penalty under Rule 20 of APCS (CC&A) Rules 1991.

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE –III

Cr. No.07/RCT-OGL/2018

ORAL EVIDENCE:

The following oral evidence is available on record.

L.W.1	Sri Mohammed Abdul Jaleel S/o M.A.Jabbar, 56 yrs, Asst. Director District Survey & Land records, Prakasam Dist.	:	He is the Asst. Director, District Survey & Land Records. He speaks about the procedure of dealing F-Line Applications for Survey. He also speaks about the original allotment of AO-2 to the Tahsildar Office, Santhanuthalapadu and rendering service in the Tahsildar Office, Chinnaganjam un-authorizedlyand the responsibility of the Dy. Inspector of Survey on Licensed Surveyor etc. facts.
L.W.2	Yarlagadda Hemanth Kumar S/o Ramarao, 53 yrs, Cultivation, R/o Chintagumpala village, Chinnaganjam Mandal, Prakasam District.		He is the resident of Chintagumpalli village and western side neighbouring land owner of the complainant's land. He speaks about his presence at the time of survey of the lands of the complainant in Chinthagumpalli held by the A-2 on 27.09.2018 etc. facts.
L.W.3	Karanam Hanumantharao s/o Madhavaiah, 65 yrs r/o Chintagumpala (v), Chinnaganjam (M), Prakasam Dt.	:	He is the resident of Chintagumpalli village and western side neighbouring land owner of the complainannt's land. He speaks about his presence at the time of survey of the lands of the complainant in Chinthagumpalli held by the A-2 on 27.09.2018 etc. facts.
L.W.4	Sri Kandula Baburao S/o Chinna Anjaiah, 40-yrs, n/o Uppugunduru village, N.G.Padu Mandal, Prakasam District.	:	He is the resident of Uppugonduru and the son of Kandula Chinna Anjaiah, VRA of Neelyapalem, Chinnaganjam (M). He speaks about his assistance to AO-2 to the survey on 27.09.2018 in the lands of L.W.1 at Chinthagumpalli on behalf of his old aged father and denied about the demanding and accepting of bribe from L.W.1 or any other person for the said survey work etc. facts.
L.W.5	Kandimalla Lalit Babu s/o Kesavarao, 39-yrs, Chintagumpalli (v), Chinnaganjam Mandal, Prakasam Dt.		He is the resident of Chinthagumpalli and husband of Smt. Kandimalla Naga Sridevi, VRA, Chinthagumpalli, Chinnaganjam (M)l. He speaks about his assistance to the Accused - 2 to the survey on 27.09.2018 in the lands of the complainant at Chinthagumpalli on behalf of his wife and denied about the demanding and accepting of bribe from the complainant or any other persons for the said survey work etc. facts.

L.W.6	Sri Marella Seshagiri S/o Punnaiah, age 54-yrs, Asst. Engineer, Panchayat Raj Kondepi Sub-Division, Prakasam District.	:	He is the 1st mediator and speaks about the contents of Mediator's Report – I & II dated 27.09.2018
L.W.7	Sri Nalathimmu Srinivasula Reddy S/o Kodandarami Reddy, age 47-yrs, Junior Assistant, Panchayat Raj, Kondepi Sub-Division, Prakasam District..	:	He is the 2nd mediator and speaks about the contents of Mediator's Report – I & II dated 27.09.2018.
L.W.8	Sri T. Prabhakar, Deputy Superintendent of Police, Anti-Corruption Bureau, Prakasam District, Ongole		To speak to the receiving report together with Disc from L.W.1, making enquiry regarding the antecedents of the AO and genuineness of the of the report of L.W.1, registration of case, seizure of Discs, laying trap and seizure of bribe amount and records, recording of 161 statements of L.Ws, arrest of AO-1 and AO-2 etc. facts.
L.W.9	Sri T.V.V. Prathap Kumar, DSP, ACB, Guntur.		To speak about assisting L.W.26 in Pre & Post trap proceedings, examination of L.Ws etc. facts.
L.W.10	Sri A. Venkateswarlu, Inspector of Police, Anti-Corruption Bureau, Prakasam Dt., Ongole.	:	To speak to his investigation, examination of witnesses, filing charge sheet in trap and sending proposals of DACs etc. facts

If any witness is necessary, he/she will be produced at the time of enquiry.

***

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE –1V

Cr. No.07/RCT-OGL/2018

DOCUMENTARY EVIDENCE:-

1.	Complaint dt.17.09-2018 given by the complainant.		It reveals about the facts of the demand of bribe amount of Rs.25,000/- by AO-1 from the complainant for surveying the lands of the complainant at Chintagumpalli Village, Chinaganjam Mandal, Prakasam District .
2.	F.I.R. in Cr.No.7/RCT-OGL/2018 dt.27.09.2018		It reveals about the receipt of report from the complainant with regard to demand of bribe and registration of the case against AO-1.
5.	Mediators Report-I		It reveals pre-trap happenings, dated 27.09.2018.
6.	Mediators Report-II		It reveals post-trap happenings, dated 27.09.2018.
7.	U/Sec.161 Cr.P.C. statements of L.Ws.1 to 14 as per Annexure III		The statements reveal the oral evidence against the Accused Officers 1 & 2.
8.	Rough Sketch of Scene of Offence		It reveals the place of occurrence of this case
9.	Statement of complainant recorded by Hon'ble I Addl. Junior Civil Judge, Ongole on 20.10.2018 U/s 164 Cr.P.C.		It reveals statement of the complainant recorded under section 164 Cr.P.C.
10.	Proceedings copy in Rc.A6/616/2015 Dt.01.12.2015 of the Joint Collector & Additional District Magistrate, Prakasam District		It is the copy of proceedings with regard to deputation of AO-1 to Chinnaganjam Mandal from his regular posting i.e. Chimakurthy Mandal.
11.	F-line petition of Sri Majeti Venkateswara Sastry:		It contain 8 sheets which include the F-line petition of the complainant, copy of Mee-seva receipt, copy the Pattdar pass book, tile deeds issued in favour of the father of Complainant, Aadhar card of the complainant, Notice dated 12.09.2018 to the neighbours to the lands of the complainant.
12.	F-Line Register, O/o Tahsildar, Chinnaganjam for the year 2018.		It contains the entry regarding the receipt of F-Line petition of L.w.1 at Sl.No.414 in the Register at Sheet No.56.

13.	F-Line Applications Register of O/o Tahsildar, Chinnaganjam Mandal.		It contains the entry regarding the receipt of the F-line petition of L.W.1 by AO-1 on 01.09.2018 at Sl.No.56 of the Register on sheet No.6.
14.	Register of Office Copies of Tour diaries of Surveyors since January 2011.		It contains office copies of the tour diaries of the Mandal Surveyors working in O/o the Tahsildar, Chinnaganjam which is maintained up to August 2018.
15.	Attendance Register O/o Tahsildar, Chinaganjam (M)		It is the attendance register O/o the Tahsildar, Chinnaganjam maintained from January 2018 to September 2018.
16.	Lr.Rc.A6/567/2018, dated: 29.10.2018 of the Assistant Director, District Survey and Land Records, Ongole:		It contains the service particulars and Job-chart of AO-1 and Job-chart of A-2 (Allotment Proceedings vide RC.A2/225-56/2017 Dated: 28.06.2018 of the Joint Collector, Prakasam Dist., Ongole.
17.	Lr.Rc.A6/567/2018, dated: 29.11.2018 of the Assistant Director, District Survey and Land Records, Ongole.		It is the letter of the AD, District Survey & Land records, Prakasam district, Ongole wherein he furnished attested copies of 1) Posting orders of AO-1 to Tahsildar Office, Chimakurthy (M) 2) deputation order of AO-1 to Tahsildar Office, Chinaganjam (M) from O/o the Tahsildar, Chimakurthy Mandal 3) Attachment order of AO-2 to Tahsildar Office, S.N.Padu (M) 4) Govt. guidelines/ Circulars/Memos with regard to duties and remuneration of Licensed Surveyors
18.	Lr. RC.C/223/2018, dt: 21.01.2019 of the Tahsildar, Chinnaganjam, Prakasam District: -		It contains 1) Copy of extract of manual 1-B record containing the entries regarding Khata No.84 held in the name of Sri Majeti Lakshmi Narasimha Sarma, 2) Copies of Extracts of the ROR draft-1 register containing the entries of lands in Sy.No's 171, 174 & 176 of Chintagumpalli (V) of Chinnaganjam (M) 3) Copies of web land adangals for total extent of Ac. 3.09 cents in Sy.No.171, Ac. 1.45 cents in Sy.No. 174, Ac.3.83 cents in Sy.No.176 of Chintagumpalli (V) of Chinnaganjam (M).
19.	Lr.Rc.A6/567/2018, dated: 06.02.2019 of AD, District Survey and Land Records, Prakasam District, Ongole.		It reveals the clarification as to how Licensed Surveyors have been discharging duties in Tahsildar Offices.

20.	Lr.Rc.C/223/18, Dated: 02.08.2019 of the Tahsildar, Chinnaganjam Mandal:-		It furnishes the clarification as to AO.2 has been discharging duties without any orders at O/o the Tahsildar, Chinnaganjam Mandal by enclosing the signed statement of AO.2.
21.	Lr.Rc.A6/567/2018, dated: 07.10.2020 of the Assistant Director (F.A.C.), District Survey and Land Records, Ongole		It contains service particulars and Job-chart of Sri GuddantiVenkataMusalaiah, Deputy Inspector of Survey, O/o Sub Collector, Kandukur formerly O/o RDO, Ongole, Prakasadam District.
22.	Letter Rc.C/228/2018 dated.07.07.2021 of the Tahsildar, Chinaganjam: -		It contains the approval of the mutation in respect of the mutation application filed by L.W.1 and issue of pattadar pass book vide Khata No.720 of Chinagumpalli village of Chinaganjam Mandal.
23.	Automex Message Rc. No.105/RCT-NPK/2018 Dated: 25.10.2021 of O/o Director General, ACB, Vijayawada.	:	It contains the instructions to the subsequent IO to submit the DACs to the Head Office.

If any document is necessary, it will be produced at the time of enquiry.

***

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER